

REMARKS

Claims 19-48, 66-70, and 73-75 are pending in this case. The Examiner allowed claims 19-48 but rejected claims 66-70 and 73-75 under 35 U.S.C. 102(b) as being anticipated by McHenry et al., U.S. Patent No. 5,592,533 ("McHenry"). Applicants
5 thank the Examiner for allowing claims 19-48. Further, the Applicants amend claim 73 and submit that it is supported by the Specification as originally filed and no new matter has been added to the application. Finally, the Applicants respectfully traverse the rejection of claims 66-70 and 73-75 and request favorable reconsideration of these claims in view of the amendment and the following remarks.

Response to the 35 U.S.C. § 102(b) Rejection

Claims 66-70 and 73-75

The Examiner rejected claims 66-70 and 73-75 under 35 U.S.C. § 102(b) as being anticipated by McHenry. According to MPEP § 2131, in order to establish a *prima facie* case of anticipation, the cited reference must disclose every element of the claim.

15 McHenry does not contain every element of claims 66-70 and 73-75, therefore, McHenry does not anticipate these claims.

In claim 66, the Applicants recite a method for registering a user of a portable information device to a data network appliance. The method includes wirelessly transmitting a ping message from the data network appliance. Ping messages are used to
20 discover the presence of a portable information device within the proximity of the data network appliance. (Specification, p. 31, lines 7-9). Additionally, the method includes determining whether an announcement message has been detected from a portable information device. If an announcement message has been detected from the portable

information device, a registration request is transmitted across a data network to a registration server.

In contrast, McHenry teaches registration in a system for routing calls to a personal telephone number subscriber by utilizing one or two adjunct registration devices in association with a pair of land line terminals designated by the subscriber. (McHenry, Abstract). McHenry teaches that the registration occurs through a station that scans or transmits a signal to attempt to sense the subscriber. (McHenry, Col. 9, lines 1-4). After the registration device determines a subscriber, a serving Mobile Switching Center ("MSC") sends a registration notification to its Visitor Location Register ("VLR"). (McHenry, Col. 5, lines 36-38). If the roaming subscriber had previously registered with an MSC within the VLR's domain, the VLR would just record the identity of the subscriber, but if the roaming subscriber was previously unknown to the VLR, the VLR sends a registration notice to the Home Location Register ("HLR") associated with the roaming subscriber. (McHenry, col. 5, lines 35-50). McHenry fails to suggest the need to transmit a registration request across a data network to a registration server. (1)

Because McHenry fails to suggest transmitting a registration request across a data network to a registration server upon determining that the announcement message has been detected from the portable information device, the Applicants submit that McHenry does not anticipate claim 66. Claims 67 and 68 depend from claim 66. Accordingly, the Applicants also submit that McHenry does not anticipate claims 67 and 68.

In claim 69, the Applicants recite a method for providing proximity registration at a data network appliance. The method includes listening for an announcement message wirelessly transmitted by a proximate portable information device and transmitting a

registration request across a data network to a registration server upon detecting the announcement message.

As described above with reference to claim 66, McHenry teaches that the registration occurs through a station that scans or transmits a signal to attempt to sense the subscriber, and if it does sense the subscriber, then an MSC sends a registration notification to the VLR. McHenry does not disclose transmitting a registration request across a data network to a registration server upon detecting the announcement message. McHenry, therefore, does not suggest all the limitations of claim 69. Applicants submit that McHenry does not anticipate claim 69. Claim 70 depends from claim 69,
10 accordingly, the Applicants also submit that McHenry does not anticipate claim 70.

Claim 73 is currently amended. It recites a method for providing proximity registration of a user to a data network appliance. A portable information device is associated with the user. The method includes reading a user attribute from the portable information device located within a proximity range from the data network appliance.
15 The method also includes transmitting a registration request across a data network to a registration server. As a result, the portable information device is registered to the data network appliance.

As stated above, with reference to claims 66 and 69, McHenry does not disclose transmitting a registration request across a data network to a registration server.
20 McHenry does not suggest all the limitations of claim 73, and therefore, does not anticipate claim 73. Claims 74 and 75 depend from claim 73. Accordingly, the Applicants also submit that McHenry does not anticipate claims 74 and 75.


Conclusion

Based on the foregoing amendment and remarks, Applicants respectfully
traverse all rejections and request favorable reconsideration of claims 66-70 and 73-75,
and a notice of allowance for all pending claims.

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Respectfully Submitted,

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